

SENATE BILL 487

By Finney R.

AN ACT to amend Tennessee Code Annotated, Title 39,
Chapter 14, relative to criminal offenses against
animals.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 39, Chapter 14, Part 2, is amended by
adding the following as a new, appropriately designated section:

39-14-213.

(a) A person commits an offense who knowingly:

- (1) Engages in any sexual conduct or sexual contact with an animal;
- (2) Causes, aids, or abets another person to engage in any sexual
conduct or sexual contact with an animal;
- (3) Permits any sexual conduct or sexual contact with an animal to be
conducted on any premises under his or her charge or control;
- (4) Engages in, organizes, promotes, conducts, advertises, aids, abets,
participates in as an observer, or performs any service in the furtherance of an
act involving any sexual conduct or sexual contact with an animal for a
commercial or recreational purpose; or
- (5) Photographs or films, for purposes of sexual gratification, a person
engaged in a sexual act or sexual contact with an animal.

(b) A violation of this section is a class E felony.

(c) In addition to the penalty imposed in subsection (b) of this section, the court
may order that the convicted person do any of the following:

- (1) Not harbor or own animals or reside in any household where animals
are present;

(2) Participate in appropriate counseling at the defendant's expense; or

(3) Reimburse the animal shelter or humane society for any reasonable costs incurred for the care and maintenance of any animals taken to the animal shelter or humane society as a result of conduct proscribed in subsection (a) of this section.

(d) Nothing in this section may be considered to prohibit accepted animal husbandry practices or accepted veterinary medical practices.

(e) If the court has reasonable grounds to believe that a violation of this section has occurred, the court may order the seizure of all animals involved in the alleged violation as a condition of bond of a person charged with a violation.

(f) For purposes of this section:

(1) "Animal" means every creature, either alive or dead, other than a human being;

(2) "Sexual conduct" means any touching or fondling by a person, either directly or through clothing, of the sex organs or anus of an animal or any transfer or transmission of semen by the person upon any part of the animal, for the purpose of sexual gratification or arousal of the person;

(3) "Sexual contact" means any contact, however slight, between the mouth, sex organ, or anus of a person and the sex organ or anus of an animal, or any intrusion, however slight, of any part of the body of the person into the sex organ or anus of an animal, or any intrusion of the sex organ or anus of the person into the mouth of the animal, for the purpose of sexual gratification or arousal of the person; and

(4) "Photographs" or "films" means the making of a photograph, motion picture film, videotape, digital image, or any other recording, sale, or transmission of the image.

SECTION 2. This act shall take effect July 1, 2007, the public welfare requiring it.